vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6922 OF 2007

The State of Maharashtra & Anr. ... Petitioners

V/s.

Shri Subodh Gopal Bhokare ... Respondent

Mr.D.A. Patil, AGP, for Petitioners

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 17, 2007**

P.C.:

. The petition has been filed challenging the order passed by the Appellate Authority under the Payment of Gratuity Act. The Controlling Authority had by its order dated 28.11.2003 allowed the application of the respondent. An appeal from this order has been filed by the petitioner u/s 7(7) of the Payment of Gratuity Act on 6.5.2005. The Appellate Authority has rightly dismissed the appeal since there was a delay of 492 days. Under section 7(7) of the Payment of Gratuity Act, an appeal is to be preferred within 60 days of the receipt of the order from the Controlling Authority. The Appellate Authority, if it is satisfied that there was sufficient reason for the appellant not to file the appeal within the stipulated time, may extend the appeal period by a further duration of 60 days. In the present case, admittedly, there is a delay of 492 days and, therefore, the Appellate Authority has rightly dismissed

the application. Petition rejected.